

REMARKS

The Applicant thanks the Examiner for the thorough consideration given the present application. Claim 15 is cancelled herein without prejudice to or disclaimer of the subject matter set forth therein. Claims 2, 10, and 13 were previously cancelled. Claims 1, 3-9, 11, 12, 14, 16, and 17 are pending. Claims 1, 8, 9, 14, and 16 are amended. Claim 1 is independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Reasons for Entry of Amendments

At the outset, it is respectfully requested that this Amendment be entered into the Official File in view of the fact that the amendments to the claims automatically place the application in condition for allowance.

In the alternative, if the Examiner does not agree that this application is in condition for allowance, it is respectfully requested that this Amendment be entered for the purpose of appeal. The present amendment reduces the issues on appeal by amending claim 1 to correct the deficiency pointed out by the Examiner in the last Office Action. This Amendment was not presented at an earlier date in view of the fact that Applicants did not fully appreciate the Examiner's position until the Final Office Action was reviewed.

Examiner Interview

If, during further examination of the present application, a discussion with the Applicant's Representative would advance the prosecution of the present application, the

Examiner is encouraged to contact Carl T. Thomsen, Registration No. 50,786, at 1-703-208-4030 (direct line) at his convenience.

Drawings

It is gratefully appreciated that the Examiner has accepted the drawings.

Claim for Priority

The Examiner has not acknowledged the Applicant's claim for foreign priority. Acknowledgement is respectfully requested in the next official communication.

Restriction Requirement

The Examiner has made the Restriction Requirement final, and has withdrawn claims 3-9, 11, 12, 14, 15, and 17 from further consideration. Dependent claims 3-9, 11, 12, and 14-17 are pending.

When independent claim 1 is found to be allowable, the Applicant requests that the Examiner rejoin and consider each of the dependent claims.

Amendments to the Specification

In order to overcome the objection the specification, the Title has been revised as follows: CASTER INCLUDING AT LEAST TWO WHEELS AND A NON-CAVING LINKED BELT

Objection to the Claims

Claim 1 has been objected to. In order to overcome this objection, the Applicant has amended claim 1 to correct the deficiency pointed out by the Examiner. Accordingly, reconsideration and withdrawal of this objection are respectfully requested.

Rejections Under 35 U.S.C. §103(a)

Claims 1 and 16 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Rison (U.S. 1,066,754) in view of Barnard (U.S. 4,752,105). This rejection is respectfully traversed.

Amendments to Independent Claim 1

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, independent claim 1 is amended herein to recite a combination of elements directed to a caster, including *inter alia*

“wherein each of the pieces is independently formed as a body having a wheel guide section on an inner peripheral side thereof,

the wheel guide section having a connecting section that faces the adjacent pieces of either side thereof, a contacting section on each side of the connecting section facing the adjacent pieces, each end of the connecting section along an axis of rotation of each of the wheels being provided with a guide wall on an inner peripheral side thereof, the two guide walls being separated by a length of the connecting section.”

Support for the novel features of independent claim 1 can be seen, for example, in original paragraphs [0113] to [0116] of the printed publication (U.S. 2007/0056140), and in FIGS. 1-9 and 39-42.

The Applicant respectfully submits that the combination of elements set forth in independent claim 1 is not enclosed or made obvious by the applied prior art of record, including Rison and Barnard.

Regarding the Rison Reference

According to the Examiner, Rison fails to disclose the specified structure of the wrap around member.

Regarding the Barnard Reference

In contrast to the present invention, as can be seen in FIGS. 2, 3, 4, and 6, central locating ridges 12.2 (which the Examiner refers to as guide walls 30 of the present application) merely extend from one end of the track member 12 to the other. The central locating ridges 12.2 seat snugly in grooves or passages on the outer peripheries of the wheels 14, 16.

By contrast, the guide walls 30 of the present application are the “two guide walls being separated by a length of the connecting section.”

At least for the reasons explained above, the Applicant respectfully submits that the combination of elements as set forth in independent claim 1 is not disclosed or made obvious by the prior art of record, including Barnard and Rison.

Therefore, independent claim 1 is in condition for allowance.

Dependent Claims

The Examiner will note that dependent claim 15 has been cancelled, and dependent claims 8, 9, 14, and 16 have been amended.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

All pending claims are now in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

Application No. 10/576,610
Amendment dated March 20, 2009
Reply to Office Action of December 22, 2008

Docket No. 0969-0187PUS1
Art Unit: 3677
Page 14 of 14

CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.


If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030 (direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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By


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